

STATE OF HAWAII

REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS

TO: Chief Procurement Officer

FROM: Dept. of Human Services/Social Services Division/Support Services Office
(Department/Division/Agency)

Pursuant to §103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

Description of health and human services:

The Title IV-B, Subpart 2, Moms and Babies' Therapeutic Living Program (TLP) provides a therapeutic living environment for mothers and their children in a safe, sober, and healthy environment while assisting mothers to gain parenting, vocational, and life skills. The program is provided in combination with Substance Abuse Treatment, Vocational Education, and Child Development services.

This program provides six (6) adult beds with beds/cribs available for up to twelve (12) children. The home is staffed 24 hours per day and is specifically designed to support mothers receiving substance abuse treatment and their children ages 0-5 years. Specific services include developmental screenings, linkage to community services, parenting classes, parent-child interaction time, health services for children, and extended family sessions.

Funding for this program is limited to the East Hawaii area and is primarily from federal Title IV-B, Subpart 2, of the Social Security Act. Priority is given to families referred by DHS Child Welfare Services (CWS) units. Although the Department wanted to serve both mothers and fathers with their children, limited funding forced DHS to focus on mothers and their children initially.

Now, based on the availability of additional federal funding, the Department wants to expand the current program to provide therapeutic living services to fathers and their sons (Fatherhood Program). The program is expected to serve six (6) to seven (7) fathers with beds for up to 16 children.

Name of Service Provider	Cost:	Term of Contract:
Big Island Substance Abuse Council (BISAC)	\$250,000.00	From: Date of Approval To: 6/30/03

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

Background:

- DHS currently has a contract with the Big Island Substance Abuse Council (BISAC) for Parent and Child Therapeutic Living Program services starting 11/01/99 and ending 6/30/03.
- The original contract amount for FY 2000 was \$150,000.00, and for FY 2001 it was \$171,000.00. The contract was then extended an additional two years as stated in the RFP. The annual contract amounts for FY 2002 and 2003 are \$222,000.00.
- The target population under the current contract includes: Families with children under 6 years old, whose female caretakers are in outpatient/intensive outpatient treatment for substance abuse 1) that are referred by CPS or other professional agencies for actual or threatened child abuse or neglect, or 2) that adopted, have legal guardianship, or have permanent custody of children.
- This is a federally funded program under Title IV-B, Subpart 2, of the Social Security Act. Decisions about services to be provided and funding are made by regional and statewide planning committees under Hawaii's federally approved State Plan.

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

Not Practicable/Not Advantageous:

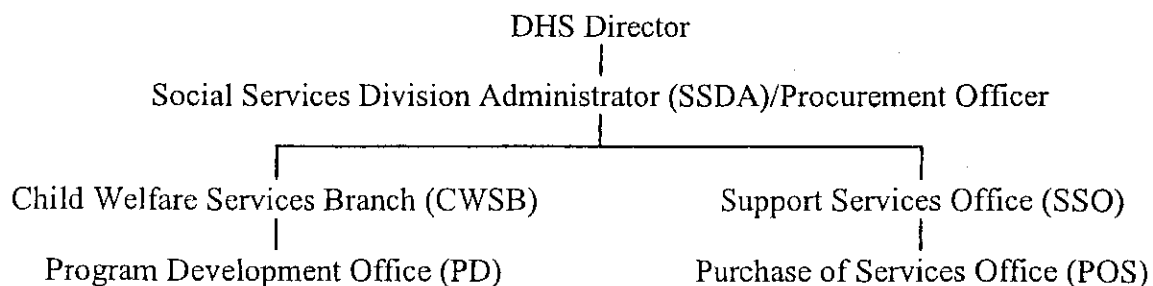
1. DOH-ADAD, the State's authority on the availability of substance abuse treatment services, has advised that BISAC is the only known provider with the ability to deliver therapeutic living services in the East Hawaii area that meets current DOH-ADAD standards.
2. In 1999, the East Hawaii Regional Planning Committee (RPC) discussed the need for therapeutic living services for parents and their children. Potential applicants were brought together and agreed that BISAC would be the best candidate to provide the community with therapeutic living services. As a result, BISAC was then the only applicant to submit a proposal during the past competitive procurement for the current contract, which ends on 6/30/03.
3. The DHS Child Welfare Services Section Administrator in East Hawaii is an expert in CWS resources for families in the East Hawaii area and an active member of the East Hawaii RPC. She advises that at this time BISAC is the only provider with the extensive and specialized experience needed to efficiently start up and adequately deliver parent and child therapeutic living services.
4. A competitive procurement at this time would not be practicable or advantageous to DHS because it would be costly and would result in only one applicant. We are hopeful that other agencies interested in providing substance abuse related services in East Hawaii will meet DOH-ADAD standards and respond to a future competitive procurement for this service (RFP to be issued 9/3/02 for a contract to be effective 7/1/03).

Details of the process or procedure to be followed in selecting the service provider to ensure maximum fair and open competition as practicable:

In the East Hawaii area, BISAC is the only agency contracted with the DOH-ADAD to provide adults with Therapeutic Living services. It is also the only agency contracted by DHS to provide therapeutic living services for mothers and their children and was the sole applicant in the procurement for the current contract effective 11/1/99 to 6/30/03. DOH-ADAD and the DHS East Hawaii Child Welfare Services Section Administrator have indicated that there is no other agency in East Hawaii with the capacity to obtain an adequate facility and appropriately train staff by October 1, 2002, which is the target date to begin this Fatherhood Program. Thus, competition is impractical and DHS would offer an exempt contract to BISAC for the period 10/1/02 through 6/30/03.

A description of the state agency's internal controls and approval requirements for the exempted procurement:

ORGANIZATIONAL CHART:



PROCESS:

1. The Program Development Office (PD) and the Child Welfare Services Branch Administrator (CWSBA) identify the need to purchase services through information provided by advisory groups, social work staff, and other requests for information. These are services that are necessary for the protection and care of children who have been abused or neglected or threatened with such abuse or neglect per the Department's mandates under Chapters 346 and 587, HRS.

A description of the state agency's internal controls and approval requirements for the exempted procurement:

2. As the procurement officer, the Social Services Division Administrator (SSDA) gives approval to proceed with the purchase of services.
3. CWSBA and PD, in consultation with SSDA, determine funding needs, funding sources, start date, and term of the services.
4. PD develops the service specifications.
5. In consultation with the Department's Fiscal Management Office/Property and Procurement Staff and with the State Procurement Office as necessary, POS staff determines the most appropriate procurement method or recommends that the Department request an exemption from procurement.
6. Recommendations and requests for exemptions are drafted by POS staff and reviewed and approved by the POS Supervisor, the Support Services Office Administrator, SSDA, and the Director.

A list of state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Laura Giddings, POS Specialist; *
David Boerner, POS Supervisor; *
Jeanne Reinhart, Assistant Program Development Administrator; *
Marquis Miyauchi, Support Services Office Administrator;
Patricia Snyder, Social Services Division Administrator; and
Susan Chandler, Director

*Staff that will be involved in the administration of the contract.

Direct questions to:

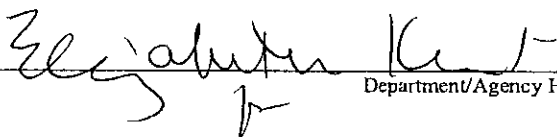
Laura Giddings

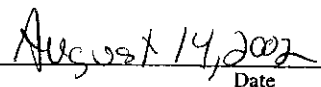
Phone Number:

586-5672

This exemption should be considered for list of exemptions attached to Chapter 3-141, HAR: Yes ☐ No ☒

I certify that the information provided above is to the best of my knowledge, true and correct.


Department/Agency Head

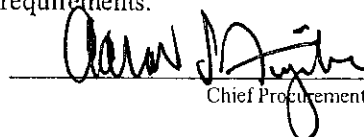

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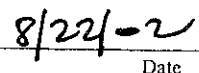
Chief Procurement Officer's Comments:

Please ensure adherence to applicable administrative requirements.

☒ Approved

☐ Denied


Chief Procurement Officer


Date

cc: Administrator
State Procurement Office